

Staff Summary Report



Hearing Officer Hearing Date: October 16, 2007

Agenda Item Number: 8

SUBJECT: This is a public hearing for a request by the **BROWN RESIDENCE (PL070419)** located at 11812 South Rural Road for one (1) use permit.

DOCUMENT NAME: 20071016dssd04

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **BROWN RESIDENCE (PL070419)** (Steve Davis/Cassia Builders Inc., applicant; Wesley Brown, property owner) located at 11812 South Rural Road in the AG, Agricultural District for:

ZUP07150 Use permit to allow an accessory building (barn).

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

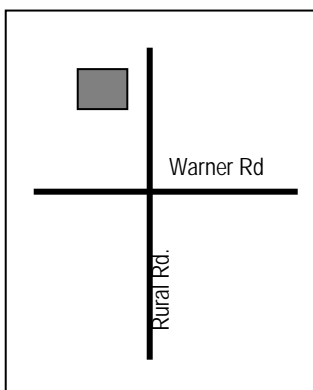
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-4

ADDITIONAL INFO: The Brown Residence is requesting a use permit for a detached accessory building (barn) to be located at the rear of site. Staff recommends approval of the use permit in that it complies with the approval criteria. To date, staff has received no opposition to this request.



PAGES:

1. List of Attachments
2. Comments; Reason for Approval
3. Conditions of Approval; History & Facts/Description;
Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Barn Floor Plan
- 6-7. Barn Elevations
8. Main Residence Elevations
- 9-10. Staff Photograph(s)

COMMENTS:

The Brown Residence is proposing to construct a freestanding barn at the northwest corner of the lot. The property is located at 11812 South Rural Road in the (AG), Single Family Residential District. The proposed use of the accessory building will be used as a barn and storage. The proposed accessory building (barn) will be built to match the existing house with stucco and color.

The applicant has not submitted construction plans for the main residence. Normally an accessory building is approved and built after the main residence is constructed. Staff has reviewed the plans of the main residence concludes the accessory building will not be taller than the main residence and the accessory building will match the proposed residence in materials, form, and color. Staff has added a condition restricting height to the conditions of approval.

Use Permit

The Zoning and Development Code requires a use permit for a detached accessory building that exceeds eight (8) feet in height and/or two hundred (200) square feet in area. The applicant is proposing to construct a 2,300 s.f. accessory building with a height of twenty feet, seven inches (20'-7"). The structure will be compatible with the existing residence and complies with the approval criteria for a use permit. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - i. There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This use, with conditions, should not create nuisances within this industrially zoned area.
- c) Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d) Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permit, subject to conditions of approval.

REASON(S) FOR APPROVAL:

1. The use appears to be compatible with the building, site and adjacent property.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. Obtain all necessary clearances from the building safety division.
2. Detached structure to be compatible in design with main dwelling; colors to match existing dwelling.
3. The height of the accessory building (barn) shall not be taller than the main residence.
4. Applicant shall submit construction plans for the main residence to the Building Safety Division within 60 days of this hearing date. **By December 16, 2007**

HISTORY & FACTS:

Property is a vacant lot, no previous permits on file.

DESCRIPTION:

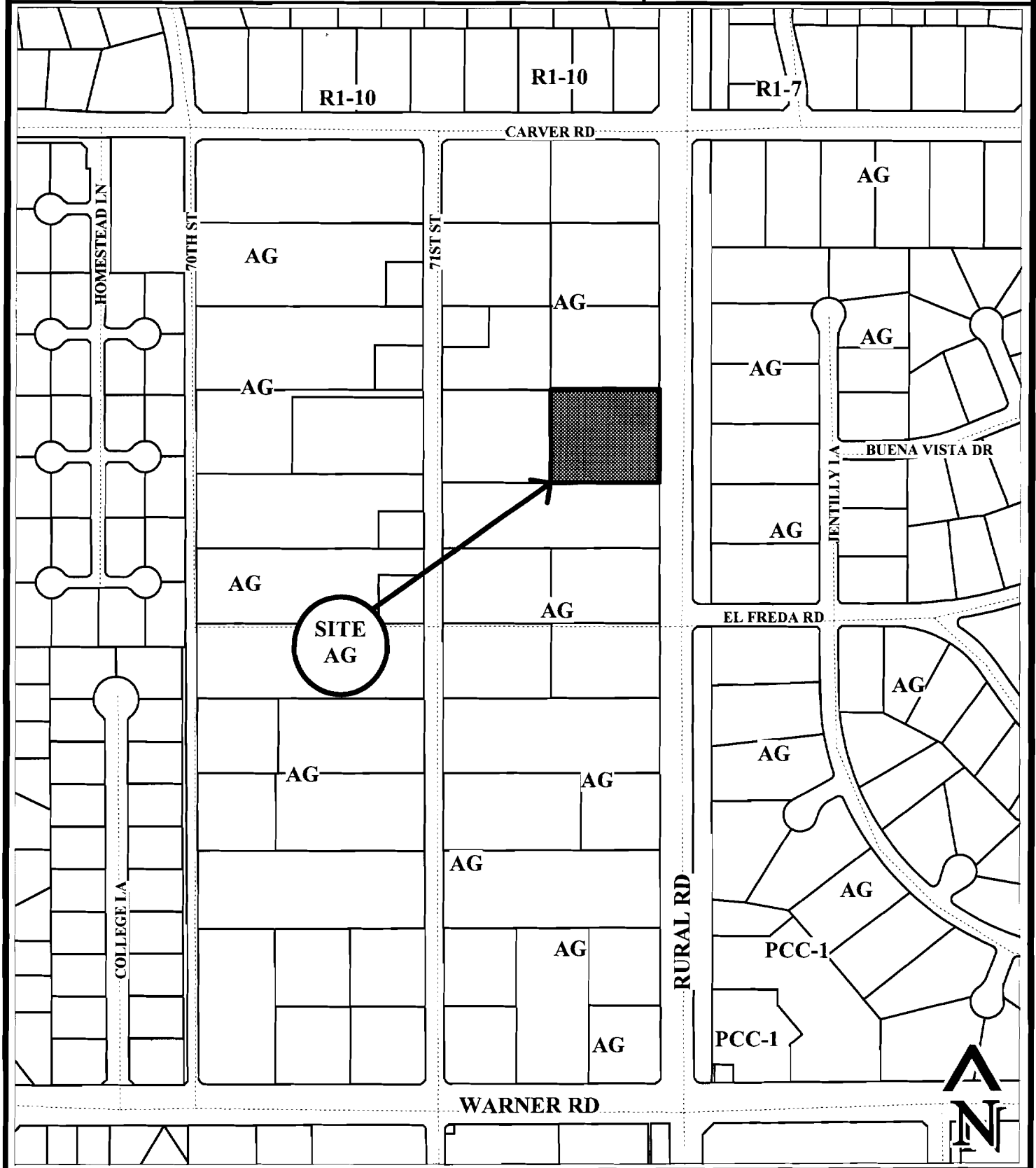
Owner – Wesley Brown
Applicant – Steve Davis/Cassia Builders Inc.
Existing Zoning – AG, Agricultural District
Lot Size – 72,584 s.f. / 1.6 acres
Proposed accessory Area – 2,300 s.f.
Proposed accessory Height - 20'- 7"

**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts

Part 6, Chapter 3, Section 6-308 – Use Permit

BROWN RESIDENCE
PL070419




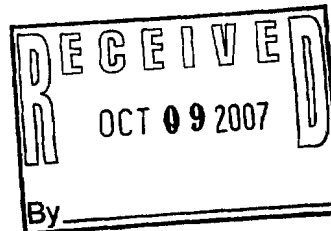
BROWN RESIDENCE (PL070419)



2232 E. SANOQUE CRT
GILBERT, AZ 85298
OFFICE (480) 802-0691
FAX (480) 802-9181
ROC 134004-B

October 2, 2007

City of Tempe
Development Services
31 E. Fifth Street
Tempe, AZ 85280
Attn: Zoning Hearing Officer



RE: Use Permit for 11812 S. Rural Road, Tempe

To the Tempe Zoning Hearing Officer:

This serves as the letter of explanation of the Use permit for the above listed address, for Wes and Alicia Brown, property owners. We are requesting a Use Permit to allow the building of an accessory structure, the barn, prior to the building of the main house.

Use of the barn will be for storage of building materials and security during the construction of the main house. After construction of the main house the structure will be used as a tack room and for storage.

We are requesting to build the barn prior to the main house for security purposes during the construction of the main house. Building plans for the main house are significantly underway. We are anticipating applying for permit on the main house soon.

The barn used for storage during construction will not affect the surrounding areas. There will be no significant vehicular or pedestrian traffic. Any more than you would normally have for a house under construction.

There will be no nuisance of any kind

This barn will not contribute to the deterioration of the neighborhood

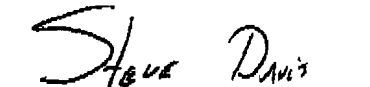
The barn will be compatible with existing surrounding structures

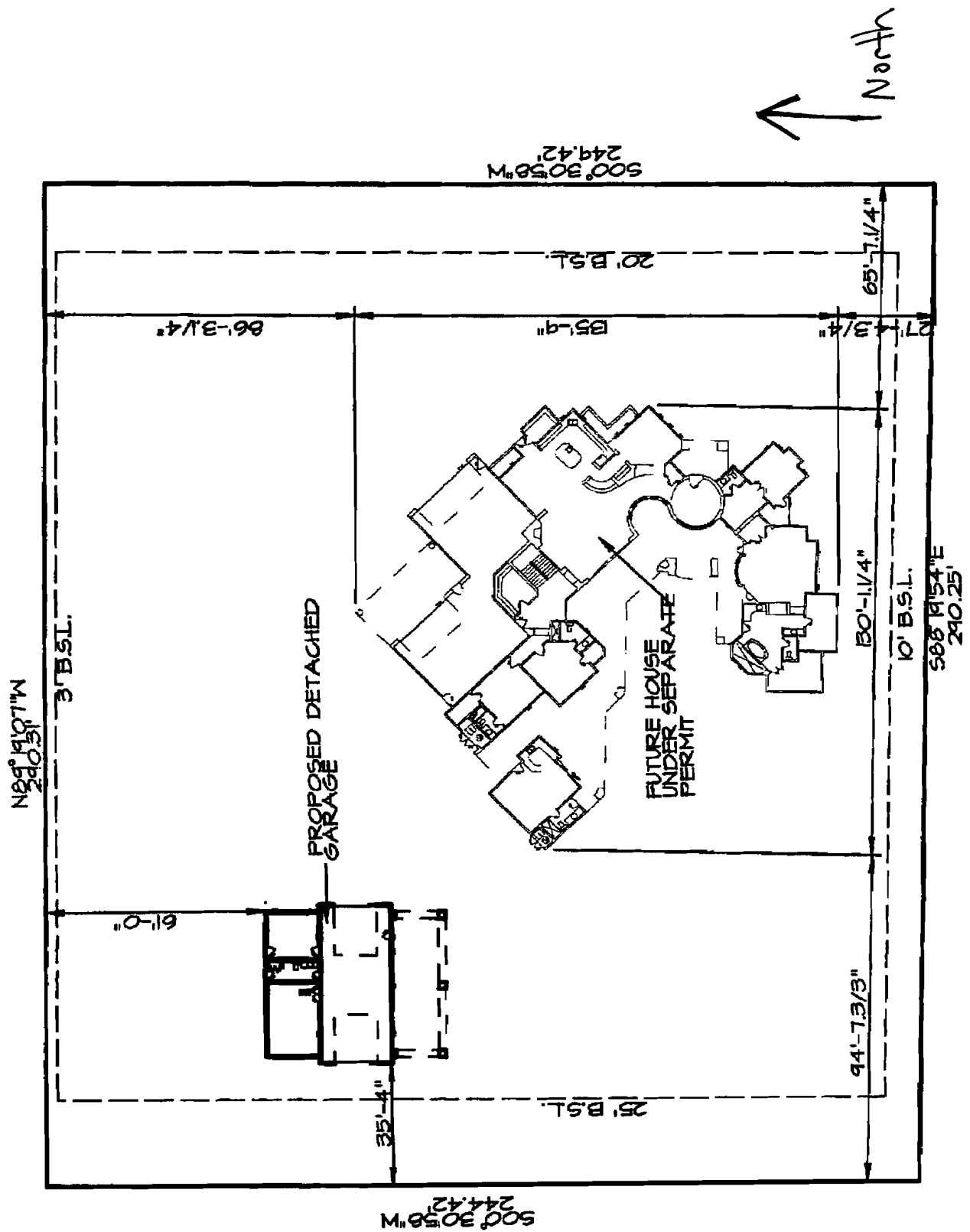
The barn will not result in any disruptive behavior for the neighborhood or general public.

Respectfully submitted,


Wes Brown
Property Owner

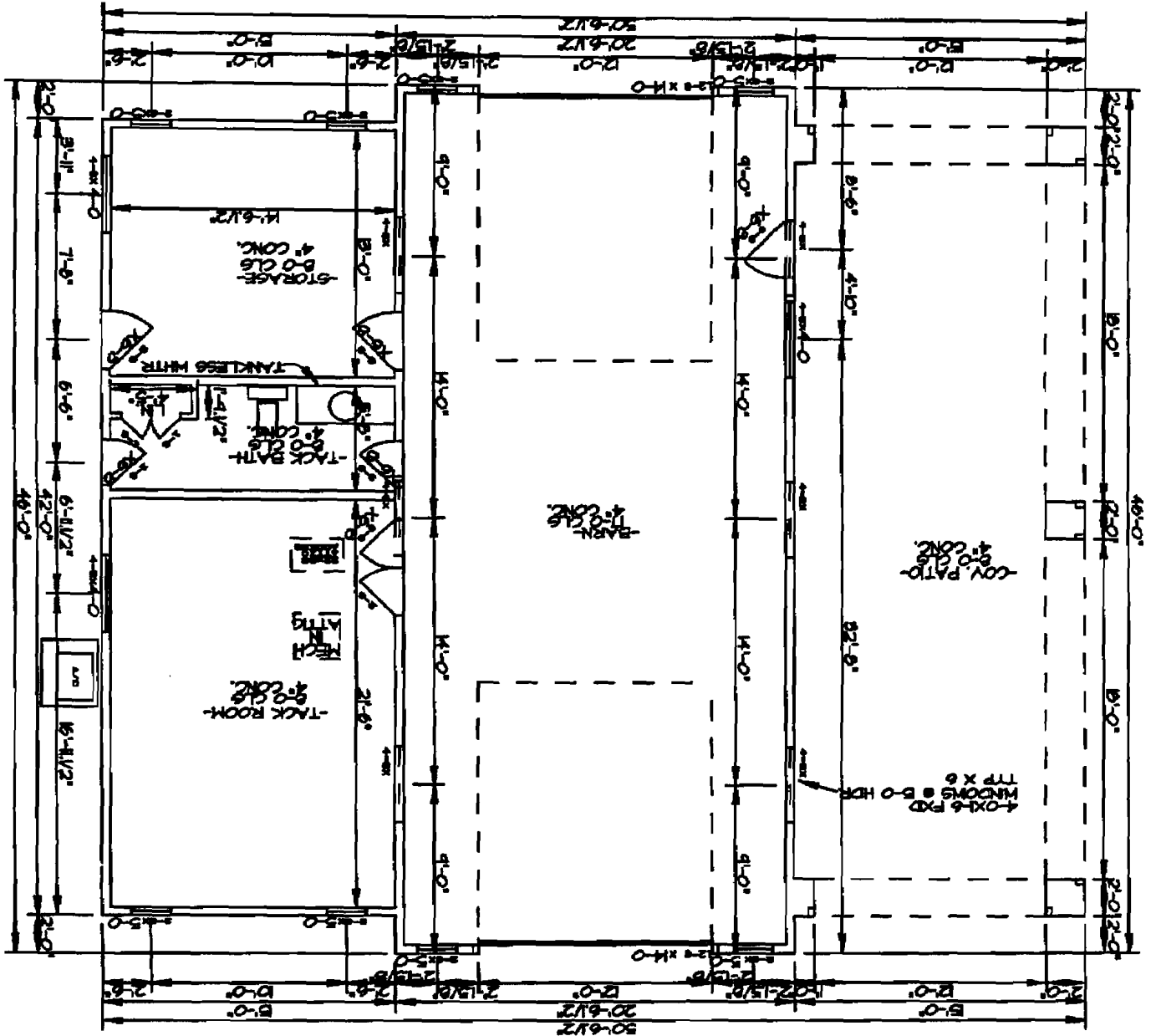

Alicia Brown
Property Owner

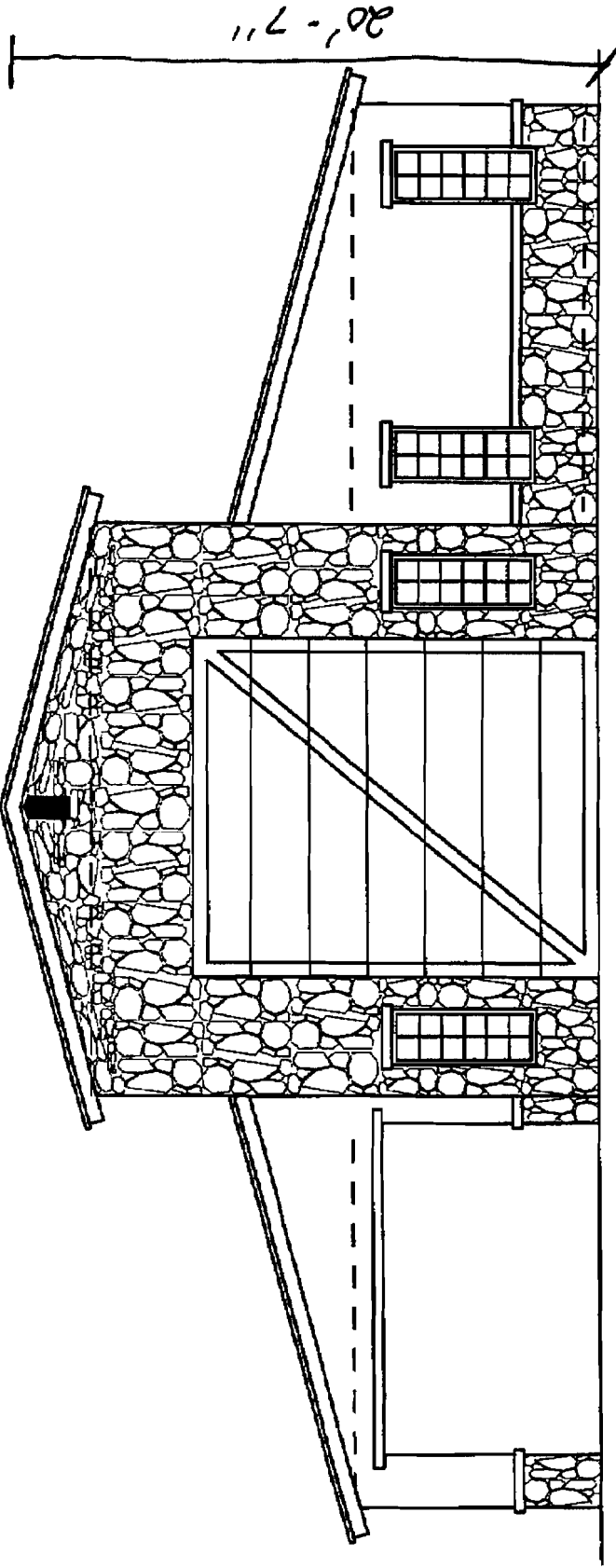

Steve Davis
President, Cassia Builders



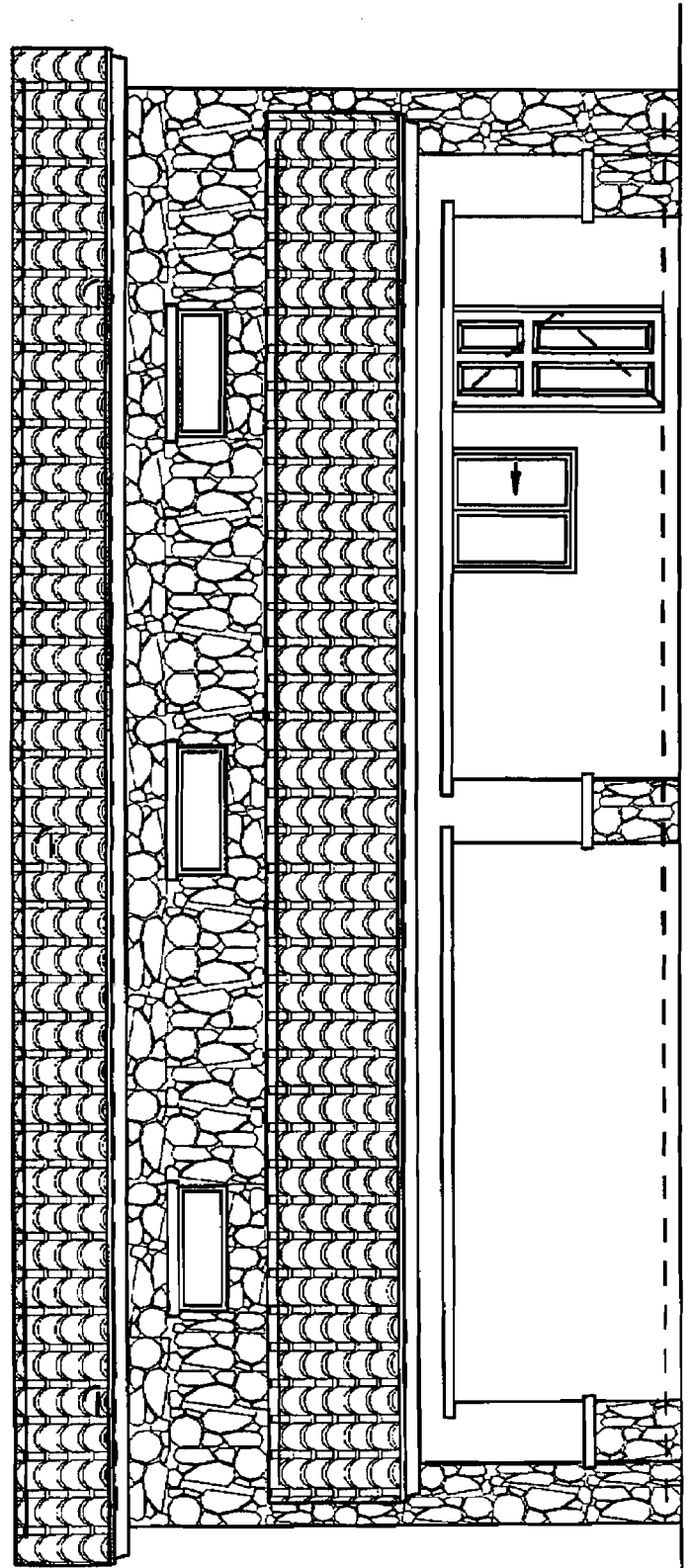
WES BROWN GARAGE
SITE PLAN
SCALE: 1"= 20'-0"

FLOOR PLAN



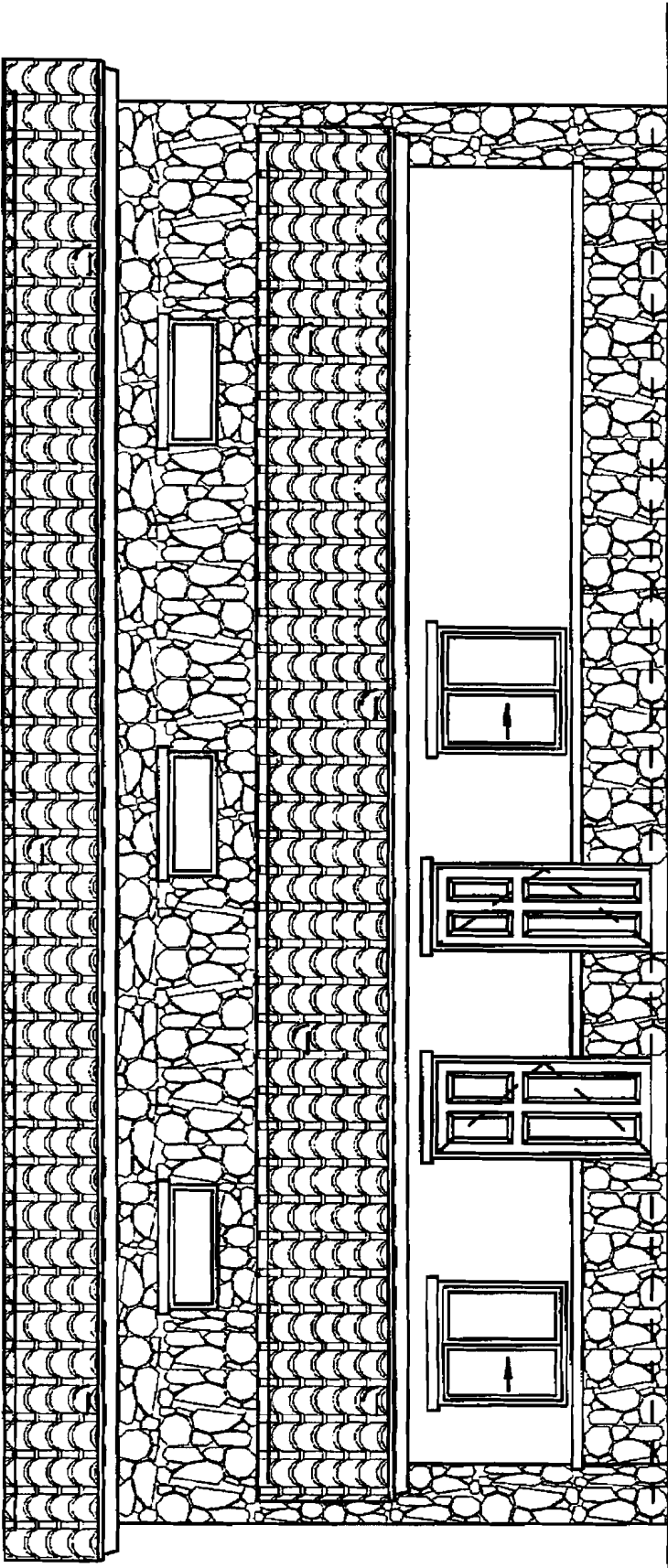


FRONT ELEVATION

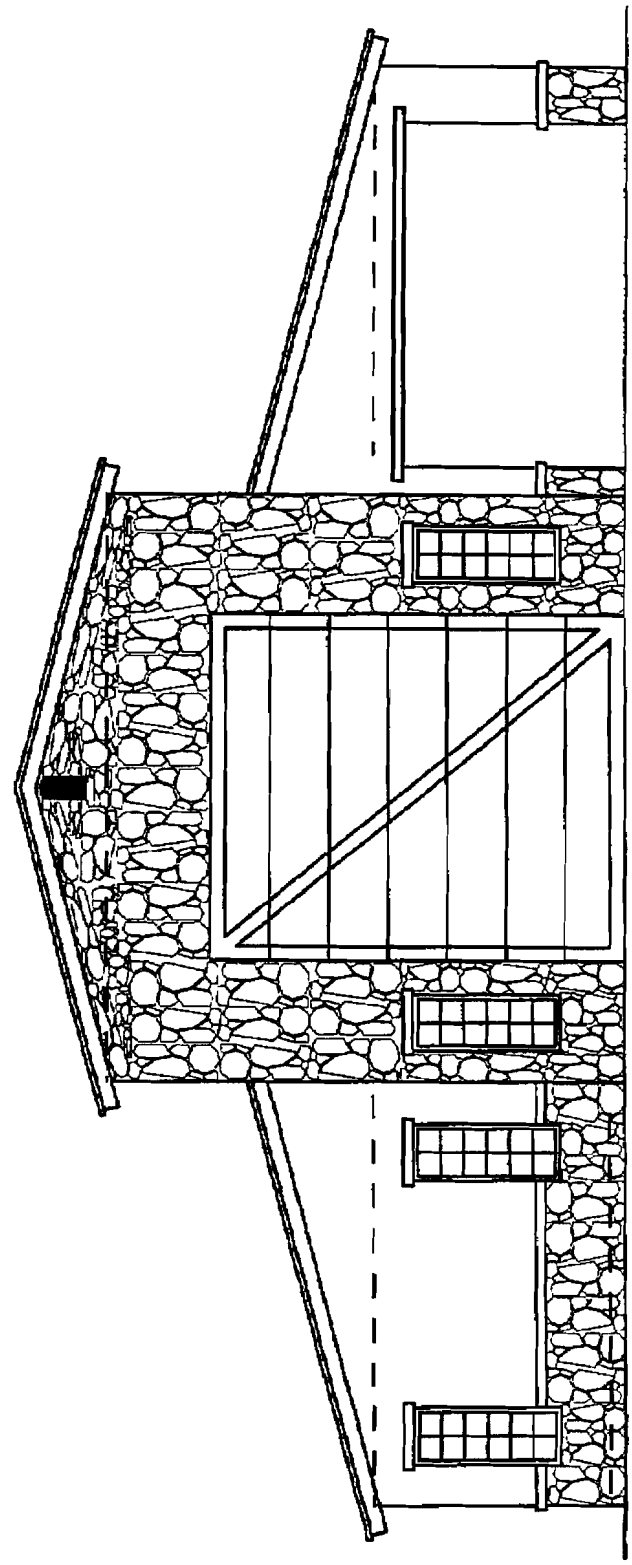


LEFT ELEVATION

WES BROWN GARAGE
NTS

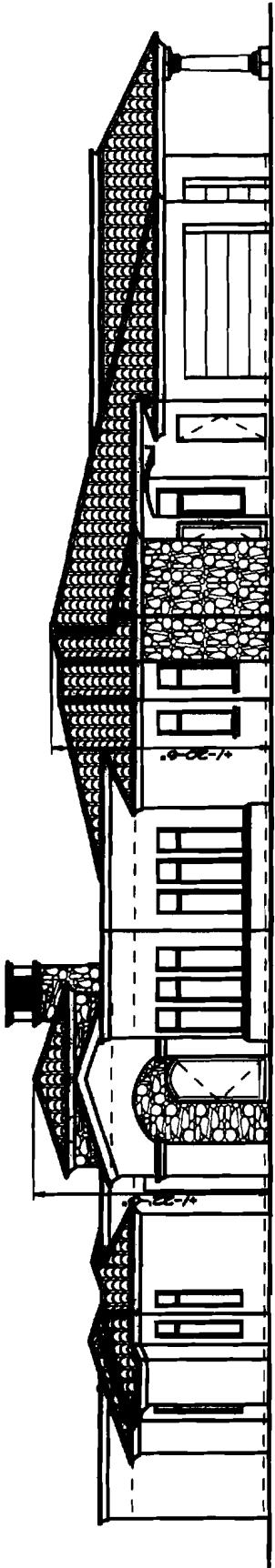


RIGHT ELEVATION

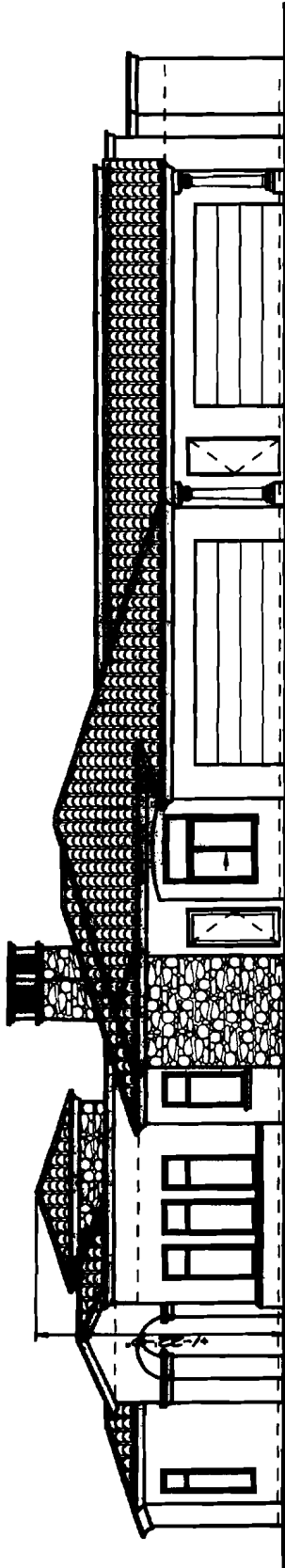


REAR ELEVATION

WES BROWN GARAGE



ENTRY DOOR



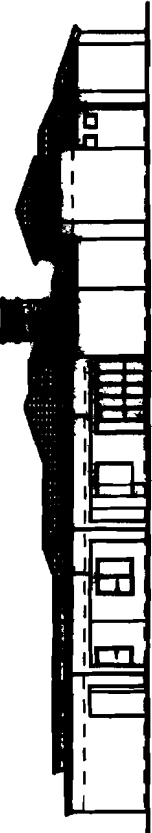
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION





BROWN RESIDENCE

11812 S RURAL RD

PL070419

SUBJECT PROPERTY: VACANT LOT



BROWN RESIDENCE

11812 S RURAL RD

PL070419

SUBJECT PROPERTY: VACANT LOT